

Notice of Allowability

Application No.

10/086,581

Examiner

Shaima Q. Aminzay

Applicant(s)

DALGLEISH ET AL.

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to September 30, 2005.
2. ☒ The allowed claim(s) is/are 1-12, 14-16 and 18-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 30, 2005 has been entered.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven McDonald, Reg. No. 45999 (Tel. 972-739-8644) on December 9, 2005. The applicant representative, Steven McDonald agreed to the following change without prejudice.

In the claim 18, line 1, the phrase "of claim 17" has been changed to - - of claim 16 - -.

Allowable Subject Matter

3. Claims 1-12, 14-16, and 18-20 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reason for allowance:

The applicant filed amendment on September 30, 2005 in response to the office action mailed on April 7, 2005. The amendments to independent claims 1, 11, and 16 put the application in allowable condition.

The prior art specifically Ito (Ito et al. U. S. Patent 6,690,915), Komara (Komara et al. U. S. Patent 6,339,694), and Grandfield (Grandfield et al. U. S. Patent 5,802,452). failed to render obviousness in combination or individually and failed to anticipate the following underlined limitations:

"A method for automatically configuring a first gain and a second gain of a repeater in a telecommunications system, the repeater operable to receive data from a transceiver via a downlink channel associated with the first gain and to send data to the transceiver via an uplink channel associated with the second gain, the method comprising: sampling a power level of the downlink channel; comparing the sampled power level to a reference power level; adjusting the first gain so that the sampled power level is within a predetermined range of the reference power level; and automatically applying the first gain's adjustment to the second gain to adjust the second gain to equal the first gain without comparing the second gain to the sampled power level, so that a balance can be automatically

achieved between a coverage area of the repeater and a level of noise associated with the uplink channel” as disclosed in independent claim 1.

A method for automatically adjusting a first gain and a second gain in a repeater, the repeater operable to communicate with a transceiver in a telecommunications system via a downlink channel associated with the first gain and an uplink channel associated with the second gain, the method comprising: producing an initialization signal within the repeater; applying the first and second gains to the initialization signal; equalizing the first and second gains if the first and second gains are not equalized; receiving a signal from the transceiver via the downlink channel after equalizing the first and second gains; sampling the received signal to obtain a power level; comparing the sampled power level to a reference power level to determine whether the sampled power level falls within a predefined range of the reference power level; incrementally adjusting the first gain so that the sampled power level is within the predetermined range; and adjusting the second gain so that the second gain is within a predefined range of the first gain” as disclosed in independent claim 11.

“A self-configuring repeater for use in a telecommunications network, the repeater operable to receive data from a base station via a downlink channel and to send data to the base station via an uplink channel, the repeater comprising: a first amplifier chain operable to apply a first gain to a first signal received via the

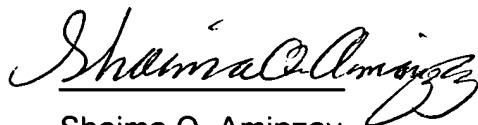
downlink channel; a second amplifier chain operable to apply a second gain to a second signal to be sent via the uplink channel; a gain balancer configured to equalize the first and second gains prior to receiving the first signal; and a comparator accessible to the first and second amplifier chains, the comparator operable to compare a power level of the first signal to a reference power level, adjust the first gain so that the power level of the first signal falls within a predetermined range of the reference power level, and adjust the second gain to equal the first gain" as disclosed in independent claim 16.

For these reasons, the independent claims 1, 11, and 16 are allowed. Claims 1-10 which depend from independent claim 1, claims 12, 14-15 which depend from independent claim 11, and claims 18-20 which depend from independent claim 16 are allowed under the same reasons set forth in claims 1, 11, and 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-276-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay
(Examiner)

December 12, 2005


NAY MAUNG
SUPERVISORY PATENT EXAMINER

Nay A. Maung
(SPE)

Art Unit 2684